

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,

Plaintiff,

V.

PARTNERS HEALTHCARE SYSTEM, INC.,

Defendant.

Civil Action No. 05-11576-DPW

**ASSENTED-TO MOTION OF**  
**BENJAMIN A. GOLDBERGER TO WITHDRAW APPEARANCE**

Pursuant to Local Rule 83.5.2(c), Benjamin A. Goldberger of McDermott Will & Emery LLP hereby moves to withdraw his appearance on behalf of Partners Healthcare System, Inc.

(“Partners”) in the above captioned cases. In support of this Motion, Goldberger states:

1. McDermott Will & Emery LLP continues as counsel for Partners in this matter.

Other members of the firm, including another member of the bar of this Court, who have already entered appearances, will remain as counsel of record.

2. No trial date has been set and no hearings are scheduled.

3. Although there is a pending motion, that motion has been fully briefed and

Goldberger's withdrawal will not interfere with the disposition of that motions or prejudice any party.

4. Partners consents to Goldberger's withdrawal and the government assents to this Motion.

Dated: August 6, 2007

Respectfully submitted,

/s/ Benjamin A. Goldberger  
Benjamin A. Goldberger (BBO No. 654357)  
MCDERMOTT WILL & EMERY LLP  
28 State Street  
Boston, MA 02109-1775  
Tel. (617) 535-4000

**LOCAL RULE 7.1 CERTIFICATE OF CONSULTATION**

I, Benjamin A. Goldberger, hereby certify that I conferred with counsel for all parties, and attempted in good faith to resolve or narrow the issues presented by this motion. Counsel for the government has assented to this motion.

/s/ Benjamin A. Goldberger  
Benjamin A. Goldberger

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system and any attachments will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on August 6, 2007.

/s/ Benjamin A. Goldberger  
Benjamin A. Goldberger

BST99 1548385-1.057158.0039